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HONORABLE BARBARA J. ROTHSTEIN

FILED ENTERED
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SEP 13 2002

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY *[Signature]* DEPUTY

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LODGED RECEIVED

SEP 12 2002

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY *[Signature]* DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

IN RE Phenylpropanolamine (PPA) Products)
Liability Litigation)

No. MDL 1407

STIPULATION AND [PROPOSED]
ORDER REGARDING DEPOSITIONS
OF THE HSP INVESTIGATORS

-----)
This document relates to all actions.)

WHEREAS, the parties hereto have the objective of streamlining to the extent possible the process of deposing the investigators who conducted the Hemorrhagic Stroke Project ("HSP") and, in that regard, wish to make clear their understanding of the manner in which the depositions of the HSP investigators are to be conducted;

WHEREAS, the parties want to minimize the possibility that any party will need to conduct more than one deposition of each of the HSP investigators;

WHEREAS, defendants are in possession of various materials relating to the study, including (a) documents and one videocassette tape produced by the HSP investigators pursuant to a subpoena issued on December 6, 2001; (b) X-rays and CT scans previously produced to defendants; and (c) other documents previously produced to the sponsors of the study, Novartis and Thompson Medical;

IT IS HEREBY STIPULATED by and between the parties hereto, by their respective counsel as follows:

STIPULATION AND [PROPOSED] ORDER
REGARDING DEPOSITIONS - 1

Case No. MDL 1407

019186.0028/950919.1

LANE POWELL SPEARS LUBERSKY LLP
SUITE 4100
1420 FIFTH AVENUE
SEATTLE, WA 98101
(206) 223-7000

cc: Counsel, BJK

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1 1. All of the aforementioned documents are available to any plaintiff. The HSP
2 documents obtained pursuant to subpoena currently consist of 14 CD's and may be obtained at
3 a cost of \$367.50 per set by contacting Eric A. Paine, Esq., at Nelson Mullins Riley &
4 Scarborough, L.L.P., Keenan Building, Third Floor, 1330 Lady Street, Post Office Box 11070
5 (29211), Columbia, South Carolina, 29201, (803) 255-5518, to arrange payment. Copies of
6 the approximately 432 X-rays and CT scans are also available at a total approximate cost of
7 \$9,500 by contacting Mr. Paine. In addition, there are approximately 134,000 pages of HSP
8 documents and data received by the HSP sponsors, consisting of 18 CD's. Plaintiffs may
9 obtain a copy of these CD's at a cost of \$630.00 per set by contacting Kevin Willett, at Kaye
10 Scholer, LLP, 425 Park Avenue, New York, New York 10022, (212) 836-7018.

11 2. More documents may be produced by the HSP investigators and, therefore,
12 there may be additional CD's available in the future.

13 3. Each Parties' Liaison Counsel will deliver to counsel for the HSP investigators
14 and to designated counsel for opposing party a hard copy of each of the documents likely to
15 be used at the deposition no later than ten (10) calendar days prior to the first day of the
16 deposition. If additional documents likely to be used are identified less than ten (10) calendar
17 days before the deposition, they should be produced to counsel for the investigator and
18 opposing party without delay.

19 4. Questioning shall not be repetitive or redundant.

20 5. Any and all redirect or recross of a witness shall be limited to the scope of the
21 prior questioning.

1 RESPECTFULLY SUBMITTED this 12th day of September, 2002.

2 WILLIAMS KASTNER & GIBBS

3
4 By 

5 Douglas A. Hofmann

6 WSBA No. 06393

7 *Co-Liaison Counsel for MDL Defendants*

8 LEVINSON FRIEDMAN P.C.

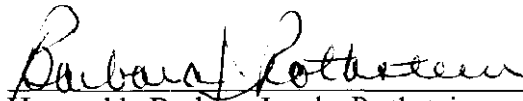
9 By 

10 Lance E. Palmer

11 WSBA No. 18141

12 *Plaintiffs' Liaison Counsel*

13 IT IS SO ORDERED this 13th day of September, 2002.

14 
15 Honorable Barbara Jacobs Rothstein

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STIPULATION AND [PROPOSED] ORDER
REGARDING DEPOSITIONS - 3

Case No. MDL 1407

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